

CITY OF ROCKVILLE

City Hall

229 Broadway Street East

PO Box 93

Rockville, MN 56369

Planning/Zoning Commission Meeting

Tuesday, April 04, 2017 - 6:00 p.m.

AGENDA

1. **Roll Call**
2. **Approval Of Agenda/Amendments**
3. **Approval Of March 7, 2017 Meeting Minutes**
4. **Zoning Amendments – Ordinance 2017-86**
 - a. accessory structures exceeding 120SF TO STATE 200SF & All Accessory Structures whether under or over 200SF needs a site plan approval
5. **Jim Voigt Concept Plan – Pleasant Road**
6. **Mike Schneider Subdivision Concept Plan**
7. **Steve Pfannenstein Concept Set Back**
8. **Hideaway Bar – Impervious Service B-1**
9. **Other Business**
 - a) Next Meeting May 2, 2017, 6:00 P.M.
10. **Adjournment**

*This agenda has been prepared to provide information regarding an upcoming meeting of the Rockville City Planning Commission. This document does not claim to be complete and is subject to change.

**MINUTES OF THE REGULAR PLANNING/ZONING COMMISSION MEETING HELD
Tuesday, March 7th 2017, 6:00 p.m. – Rockville City Hall**

Item 1) Roll Call - The meeting was called to order by Chair Bill Becker. Roll call was taken and the following members were present: Brian Herberg, Dave Meyer, Tom Molitor, and Jerry Tippelt.
Staff present: City Administrator, Martin Bode.
Others present were various members of the public.

Item 2) Approval of Agenda/Amendments

Motion by Meyer, second by Tippelt, to approve the agenda as presented. Motion carried unanimously.

Item 3) Approval of February 14, 2017 Meeting Minutes

Motion by Molitor, second by Herberg, to approve the February 14, 2017 meeting minutes as presented. Motion carried unanimously.

Item 4) Public Hearing: G & M Voigt Preliminary & Final Plat

STAFF REPORT

RE: SUBDIVIDE THEIR PROPERTY AND PRELIMINARY AND FINAL PLAT APPROVAL
Parcel I.D. No. 76.42142.0037 - Section 2, Township 123, Range 029

Owner: Greg and Marina Voigt
Property Address: 8949 County Road 6, Rockville MN

Legal Description:

That part of Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, according to the recorded plat thereof, Stearns County, Minnesota, described as follows:

Beginning at the northeast corner of said Outlot C; thence South 89 degrees 31 minutes 46 seconds West, assumed bearing, along the north line of said Outlot C, a distance of 683.60 feet; thence South 00 degrees 28 minutes 01 seconds East, 33.00 feet; thence North 89 degrees 31 minutes 46 seconds East, 286.67 feet; thence South 00 degrees 28 minutes 01 seconds East, 306.06 feet; thence North 89 degrees 31 minutes 59 seconds East, 396.93 feet, to the east line of said Outlot C; thence North 00 degrees 28 minutes 01 seconds West, along said east line of Outlot C, 339.08 feet, to the point of beginning.

REQUEST

Greg and Marina Voigt are requesting approval to split approximately 3.31 +/- acres from the approximate 15.5 +/- acre site thereby establishing a new parcel.

RELEVANT INFORMATION

1. Property is zoned R-1.
2. Property is 15.5 +/- acres
3. The owner(s) are proposing to sell 3.31 +/- acres East of the home site for building purposes.

RECOMMENDATION

Consider Approval of the Preliminary and Final Plat, NOTING hook-up to City Sewer is required.

Sascha Gebault, 25801 Lena Lane, questioned the subdivision of the lot.
Tammy Biery, 25910 Burg Street, expressed concern about the subdivision.

Administrator Bode read the following letter submitted by Dennis and June Felch, 25876 Lena Lane (answers provided in blue):

02/28/2017

Re: Planning Commission Voigt Property Request

Planning Commission,

The Voigt Property Request letter does not provide sufficient specifics to adequately approve or deny the proposal. We are out of town and are unable to attend this meeting. We would like the following concerns/questions addressed regarding the subdivision of the property in order to provide further feedback.

1. How may parcels will the property be split into? **Two.**
2. Is there a minimum acreage requirement to be deemed necessary for each parcel? **10,200 sf.**
3. Where will the access road for the subdivided properties be? **Private driveway.**
 - a. We feel any access driveway from Lena Lane would be dangerous and disruptive to the traffic flow in this neighborhood as it would be located very close in proximity to the stop sign.
4. How will these property splits affect the current sewage system? **No effect, hookup required.**
5. Is the front/north quadrant of the property deemed delineated wetland and unbuildable? **Wetlands are noted on the plat.**

Under the right circumstances, we are not opposed to a property split; however, with the limited information available for review, we are unable to respond with definitive opinions until specific project details are defined and provided for consideration.

Regards, Dennis & June Felch

Duane Willenbring, 25123 Co. Rd. 139, inquired about current sewer hookup location.

Motion by Tippelt, second by Molitor, to close the Public Hearing at 6:09 p.m.

Planning Commission held a brief discussion.

Motion by Tippelt, second by Molitor, to approve the G & M Voigt Preliminary & Final Plat as presented. Motion carried unanimously.

Item 5) Administrative Plat – Ronald & Sheila Albers

STAFF REPORT

RE: ADMINISTRATIVE PLAT
Parcel I.D. No. 76.41623.0010 - Section 13, Township 123, Range 029

Owner: Ronald F. Albers and Sheila D. Albers
Property Address: 7876 Ahles Road, Rockville MN

REQUEST

2. Ronald and Sheila Albers are requesting approval for an Administrative Plat for the purpose of a boundary line correction with a neighbor thereby establishing a new property line.

RELEVANT INFORMATION

1. Property is zoned A-40.
2. Administrative Minor Sub-divisions do not require a public hearing and do not require Planning Commission review or approval.

RECOMMENDATION

Acknowledge Administrative Plat

Motion by Herberg, second by Meyer, to approve the Administrative Plat for Ronald & Sheila Albers. Motion carried unanimously.

Item 6) Qualified Minor Subdivision – Kenneth & Hermina Albers

STAFF REPORT

RE: SUBDIVIDE PROPERTY

Parcel I.D. No. 76.41622.0900 - Section 13, Township 123, Range 029

Owner: Kenneth Albers and Hermina Albers

Property Address: 8116 Ahles Road, Rockville MN

REQUEST

2. Ken and Hermina Albers are requesting approval to split 8.23 +/- acres from the approximate 149.99 acre site thereby establishing a new parcel.

RELEVANT INFORMATION

1. Property is zoned A-40.
2. Property is 8.23 +/- acres.
3. Qualified Minor Sub-divisions do not require a public hearing but do require Planning Commission review and approval.

RECOMMENDATION

Consider Approval

Motion by Herberg, second by Meyer, to approve the Qualified Minor Subdivision for Kenneth & Hermina Albers. Motion carried unanimously.

Item 7) Qualified Minor Subdivision – Brinkmeier LLC
Combining 2 lots – Douglas & Peggy Brink

STAFF REPORT

RE: SUBDIVIDE PROPERTY

Parcel I.D. No. 76.41654.0200 - Section 30, Township 123, Range 029

Owner: Kevin L. Brink and Karen B. Brink, Brinkmeier LLC

REQUEST

Kevin L. Brink and Karen B. Brink, Brinkmeier LLC are requesting approval to split 40.00 +/- acres from the 150 +/- acre site thereby establishing a new parcel.

RELEVANT INFORMATION

1. Property is zoned A-40.
2. Property is 150 +/- acres.

3. Qualified Minor Sub-divisions do not require a public hearing but do require Planning Commission review and approval.
4. The new 40 acre parcel will then be attached to by Douglas T. Brink and Peggy S. Brink Parcel No. of 76.41654.0500, Section 30, Township 123, Range 29, Lot Combination application has been received.

RECOMMENDATION
Consider Approval

Motion by Tippelt, second by Meyer, to approve the Qualified Minor Subdivision and Combining 2 Lots for Douglas and Peggy Brink. Motion carried unanimously.

Item 8) Zoning Amendments

- a. Accessory structures exceeding 120SF to state 200SF and all accessory structures under 200SF need a site plan approval
AND: Storm water management Impervious Surface

Planning Commission held a brief discussion about changing the current zoning ordinance for accessory structures from 120 square feet to 200 square feet and all accessory structures under the 200 square feet need site plan approval.

Item 9) OTHER BUSINESS

- a. Next Meeting April 4, 2017, 6:00 p.m.

Item 10) Adjournment

ADJOURNMENT – Motion by Herberg, second by Molitor, to adjourn the meeting at 6:40 p.m. Motion carried unanimously.

Martin M. Bode
Zoning Administrator

ORDINANCE NO. 2017-86

ORDINANCE AMENDING CERTAIN SECTIONS OF THE CITY OF ROCKVILLE ZONING CODE

WHEREAS, the City Council of the City of Rockville adopted official zoning controls (“Zoning Code”) pursuant to the authority granted in Minnesota Statutes, Chapter 462 in April 2003 which replaced all pre-existing official controls; and

WHEREAS, the City Council amended the Zoning Code by Ordinance Numbers 2003-06, 2004-18, 2004-19, 2004-20, 2004-25, 2004-26, 2006-30, 2007-40, 2007-41, 2007-42, 2007-43, 2007-44, 2008-45, 2008-46, 2008-47, 2008-49, 2008-50, 2008-51 and 2008-53; 2009-58, 2009-61, 2009-62, 2009-63, 2010-64, 2011-69, 2011-70, 2011-73, 2012-74, 2012-76, 2014-82, 2015-84 and 2016-85.

WHEREAS, the City Council has the authority pursuant to Minnesota Statutes, Chapter 462 to amend the official zoning controls; and

WHEREAS, the City Council seeks to amend: certain zoning requirements, and

WHEREAS, public hearing was held on December 13, 2016 in front of the City Planning Commission, and members of the public were given an opportunity to comment on the proposed amendment(s)

NOW, THEREFORE, THE CITY COUNCIL DOES ORDAIN TO AMEND THE ROCKVILLE ZONING ORDINANCE AS FOLLOWS:

SECTION 9: GENERAL REQUIREMENTS Subdivision 2;F is hereby amended as follows:

- F. **Site Plan Required**. All accessory structures shall require a building permit and approval of a Site Plan.

SECTION 9: GENERAL REQUIREMENTS Subdivision 2;H is hereby amended as follows:

- H. **Design and Appearance of Exterior**. All accessory buildings greater than 200 square feet shall be constructed so that the appearance of its exterior is uniform and resembles the color and material of the principal structure. For purposes of this Subdivision 2(G):

SECTION 9B: SITE PLAN Subdivision 1;1-i is hereby amended as follows:

- i. The erection or construction of any principal structure or building and/or any accessory structure within any zoning classification require submittal of a site plan to the City; except that single/two family residential units on lots within approved subdivisions shall be exempt providing they adhere to elevations and building types as approved with the grading/drainage plan.

SECTION 9B: SITE PLAN Subdivision 2;2-A,a is hereby amended as follows:

- a. Building permit applications for the construction of principal structures and/or accessory structures in the R-1 single family and R-2 two family district shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

SECTION 9B: SITE PLAN Subdivision 2;2-B,a is hereby amended as follows:

- a. Building permit applications for the construction of principal and accessory structures in the A-40 Agricultural District shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

SECTION 17: R-1 SINGLE FAMILY RESIDENTIAL DISTRICT Subdivision 3;4, is hereby amended as follows:

4. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

SECTION 18: R-2 TWO FAMILY RESIDENTIAL DISTRICT Subdivision 3;3, A, is hereby amended as follows:

- A. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication in the official newspaper.

Dated this 12TH day of April, 2017

ATTEST:

Martin M. Bode
City Administrator/Clerk

Duane Willenbring
Mayor

Published: Cold Spring Record
April 13, 2017

44

Pleasant Lake

76.41600.0415
JAMES E & JACQUELINE

76.41600.0300
JAMES E & JACQUELINE

PLEASANT RD
Rockville



76.41601.0620
JAMES E & JACQUELINE VOIGT

Lots increase in size by about 1 acres

Web Application



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8.5 x 11 Portrait

- 8.5 x 11 Portrait
- 8.5 x 11 Landscape
- 11 x 17 Portrait
- 11 x 17 Landscape
- Image (jpeg)

Show Legend

- Show Legend
- Show Property Info
- Map Only

[Documents](#)



76.41639.0900

76.41639.0800

76.41640.0800

76.41641.0200

76.41640.0700

76.41642.0010

81.43154.0120

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76.41640.0600

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44

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26

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Schneider's Concept
Yellow circle 700' feedlot buffer

30

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27

76.41647.0200

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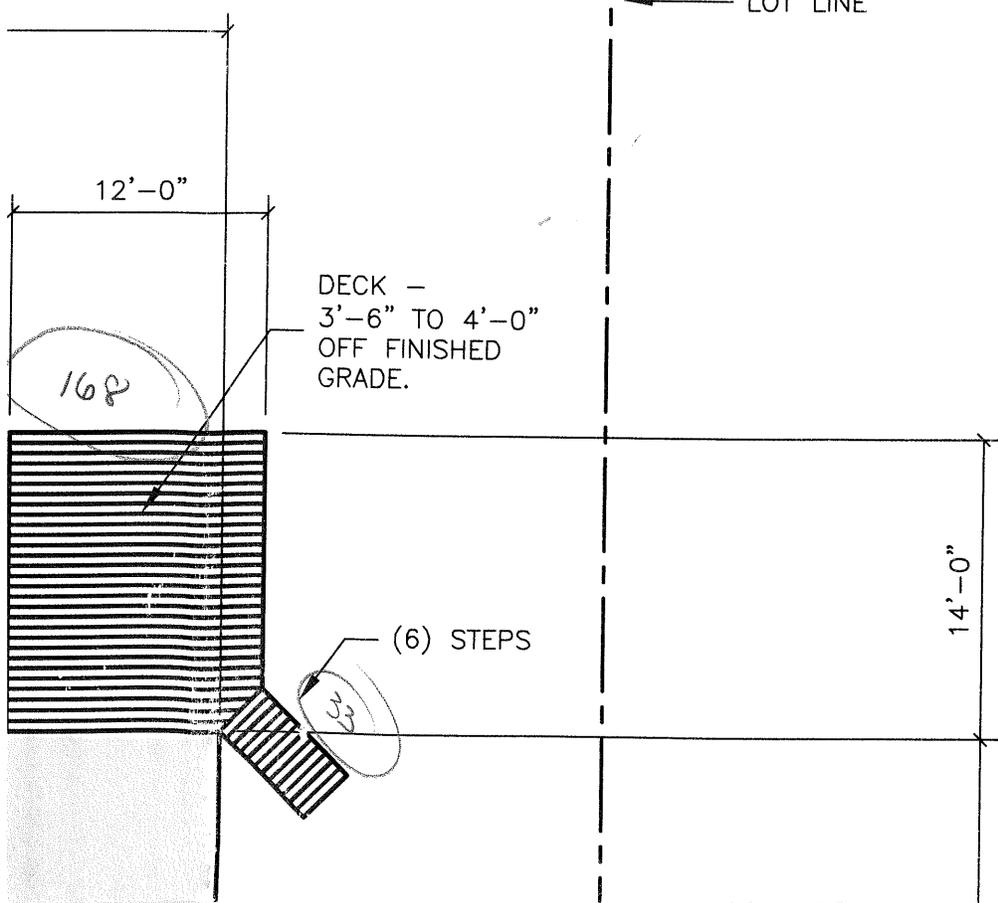
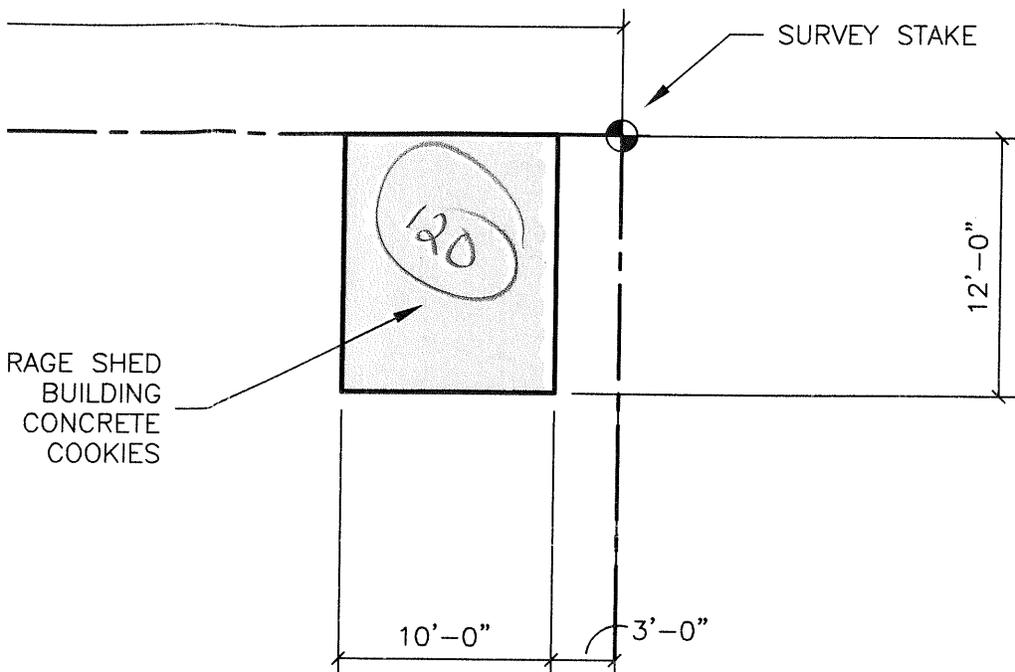
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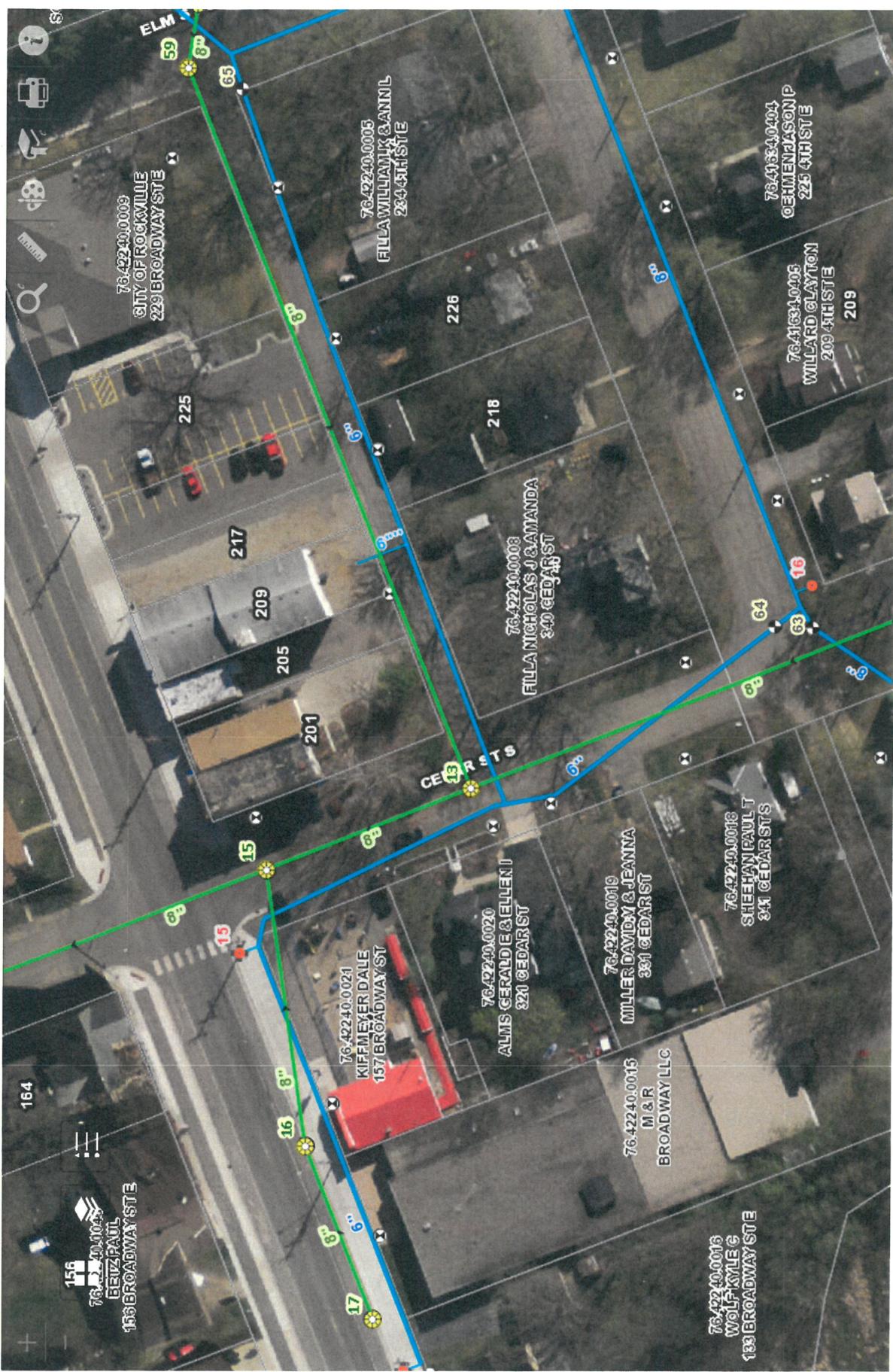


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DECI
FLOOR
1/4" SP



45.473 -94.338 Degrees , Scale: 1 : 1,128

A

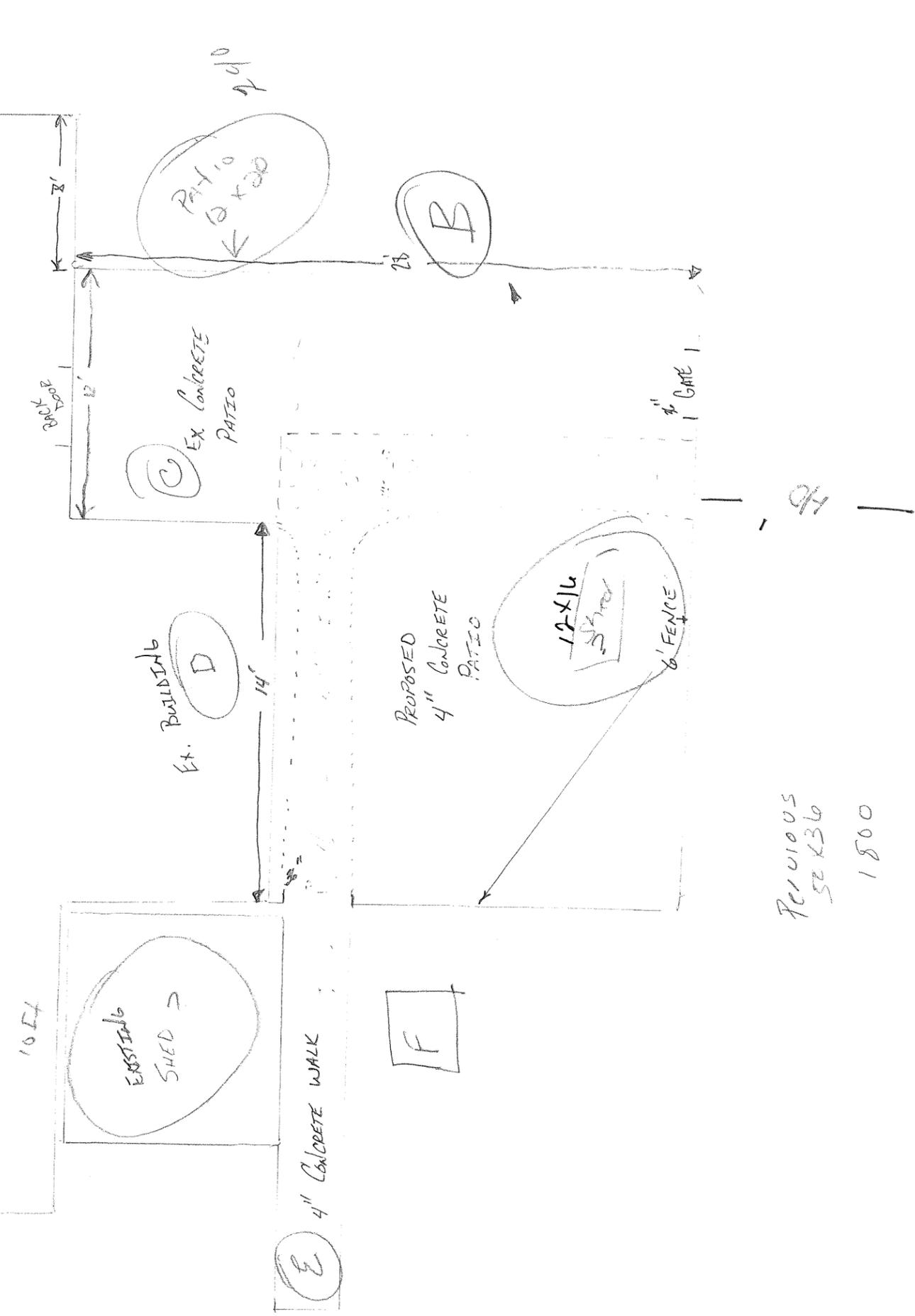
PARKING

TIRE

BAR

58 FT X 26 FT

NEED APPROVAL ASAP!!



PERVIOUS
52 X 36

1800

- A = 53 X 65 = 3445
- B = 52 X 19 = 988
- C = 8 X 20 = 160
- D = 10 X 14 = 140
- E = 99 X 3 = 297
- F = 7 X 5 = 35

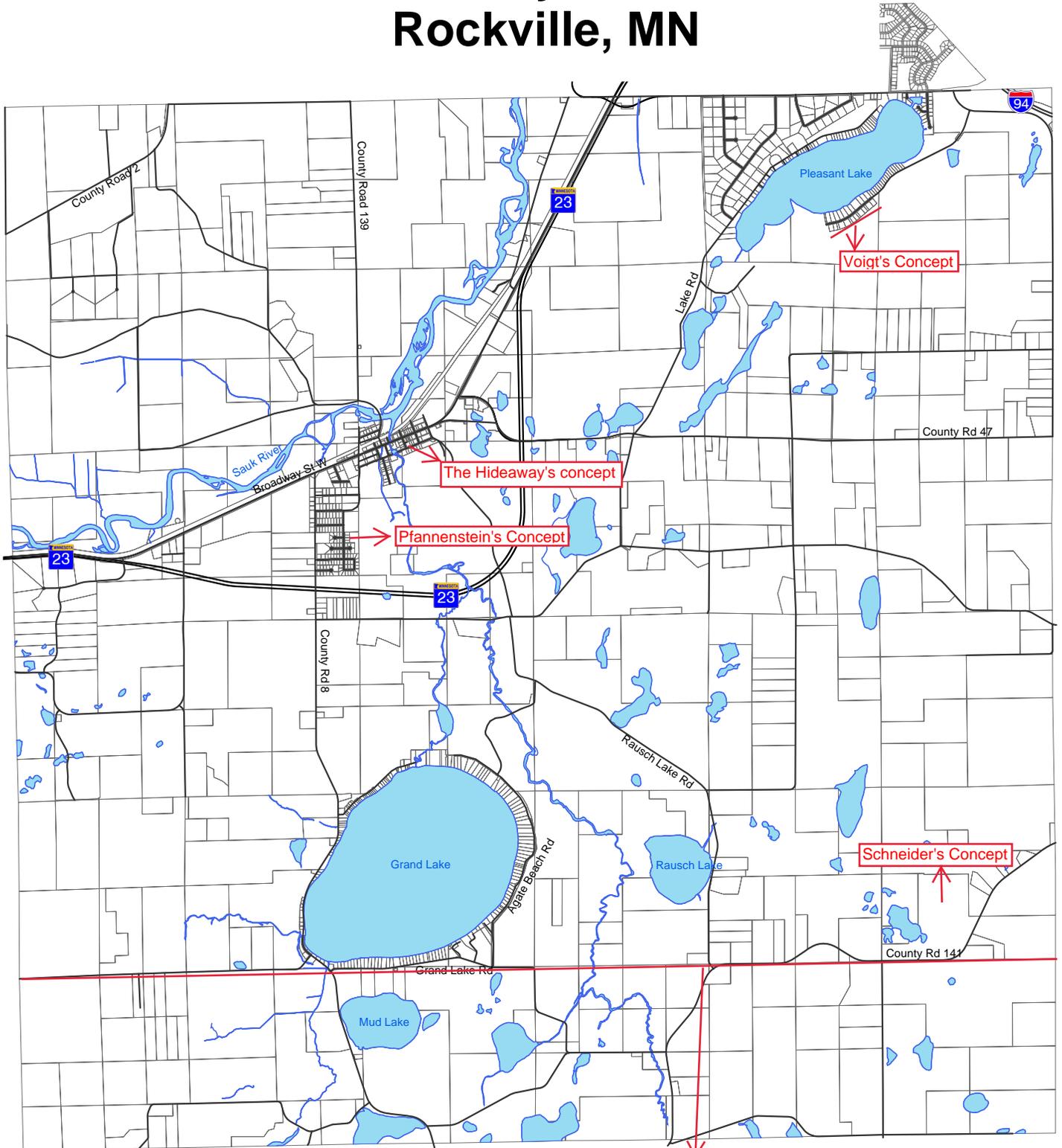
4875
64%

6' WOOD FENCE W/ 2 GATES (36") GATE

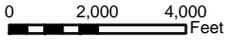
GATES TO BE LOCKED SO PEOPLE CAN'T LEAVE BAR SITE
WOOD FENCE WILL NOT LET CANS OR BOTTLES PASS THROUGH IT

130 x 59
7670
x 508
3835

City of Rockville, MN



Below this red line is not in Rockville city limits



February 23, 2005

SECTION 24: "SP-1" SPECIAL PROTECTION-AG DISTRICT

Subdivision 1: INTENT

The Special Protection-Ag District is an overlay district composed of those soils located on lands in the four (4) highly productive soil classification as well as all cultivated lands in the "A-40" District. These areas need protection from permanent development, yet need to allow for a reasonable amount of recreational usage. The principle use is agriculture and is an area not proposed to be serviced by city sewer.

The Planning Commission will recommend for approval no more than four (4) residential construction site permits per annum in the SP – 1 zone. Platted lots of record as of 4/16/03 are exempt from this restriction. The Planning Commission to decide site approval by ballot.

Subdivision 2: PERMITTED USES

1. Agricultural uses except those listed as conditional uses
2. Forestry and nurseries, not to include greenhouses
3. Public utility lines under thirty-five (35) KV
4. Historic sites and areas
5. Wildlife management areas
6. Public parks and public park facilities
7. Erosion control and wildlife developments
8. Seasonal produce stands
9. Accessory uses to the above described uses

Subdivision 3: CONDITIONAL USES

1. New single family dwellings as provided for below:
 - A. New dwellings on legal platted lots of record as of the date of enactment of this Ordinance.
 - B. New dwellings at a maximum density of one per forty (40) acres on lots of record after the date of enactment of this Ordinance that meet minimum lot size requirements in this Ordinance provided the proposed residential site is on non-tillable land. Site must be platted.
2. Greenhouses
3. Cemeteries
4. Essential services
5. Temporary dwellings and construction buildings
6. Home Occupations
7. Home Extended Business
8. Government buildings
9. Timber removal, commercial
10. Structures over thirty-five (35) feet in height
11. Bed and Breakfast Establishments
12. Event Centers

Subdivision 4: LOT, YARD, AREA AND HEIGHT REQUIREMENTS

1. Height Regulations.
 - A. Maximum of thirty-five (35) feet.
 - B. This height limitation shall not apply to non-residential farm structures.
2. Setback Regulations.

- A. Required Setbacks from Road Right-of-Way in the A-40 District of this Ordinance.
- B. Minimum setback from property lines of fifty (50) feet.
- C. Minimum setback from a ditch of one hundred (100) feet.

Subdivision 5: USE OF PLANNED UNIT DEVELOPMENT IS RESTRICTED

Planned unit developments are not permitted within the SP-1 Zone, except as required by Section 16, Subdivision 12 for purposes of platting property for subdivision. In no event may Planned Unit Development be used to alter, amend, vary or avoid the requirements of this SP-1 overlay zoning district.

Subdivision 6: SINGLE FAMILY DWELLING REQUIREMENTS

Single Family Dwellings requiring a conditional use permit must meet the following requirements in addition to those found in Section 27.

1. The structure must be located to avoid impacts on tillable land and on highly productive soils. This includes both the location of the structure, the driveway, and outbuildings. This also includes the impacts on tillable lands adjacent to the dwelling (for example dwellings will not be permitted to be sited in the center of an otherwise tillable field).
2. The soils and topography must be more amenable to the construction of a single family dwelling than to farming or wildlife habitat.
3. The vegetative cover must be more amenable to the construction of a single family dwelling than to farming or wildlife habitat.
4. The location of the dwelling must have a buffer from adjacent agricultural land (permitted for agricultural activities). This buffer may be accomplished by distance, vegetative screening, or other means.
5. The location of the dwelling must be of adequate distance from intensive farming operations (including feedlots) to avoid impacts on and conflicts with those farming operations.
6. The location of the dwelling must minimize wildlife habitat destruction. For example tree removal must be minimized and the structures must be located so as to have the least amount of impact on habitat.
7. The location of the dwelling must minimize and/or avoid impacts on wetlands both through direct filling or proximity affecting water quality or

wildlife habitat. The dwelling and construction must also avoid negative impacts on storm water drainage.

8. The location of the dwelling and residential land use must be consistent with adjoining permitted land uses.
9. The dwelling must be located on land which is of marginal use as tillable land or wildlife habitat.
10. The use of the property for single family residential purposes must be consistent with the Comprehensive Plan of the City.

CITY OF ROCKVILLE
COUNTY OF STEARNS
STATE OF MINNESOTA

ORDINANCE NO. 2006-31

**An Ordinance Amending Section 24 of the Zoning Ordinance Regarding the
SP-1 Special Protection District**

WHEREAS, The City Council authorized/directed the review of Section 24 of the zoning ordinance related to the SP-1 Special Protection District; and,

WHEREAS, the Planning Commission of the City of Rockville has reviewed the proposed amendment and recommended approval thereof; and;

WHEREAS, pursuant to the amendment request the City provided notice to the public of a hearing scheduled to receive oral and written testimony related to the proposed amendment; and,

WHEREAS, the City Council held a public hearing on the proposed amendment on February 22, 2006.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ROCKVILLE ORDAINS AS FOLLOWS:

SECTION 1. Section 24 of the Rockville Zoning Ordinance shall be amended as follows:

Section 24, Subdivision 2: Permitted Uses:

1. Agricultural uses except those listed as conditional uses
2. Forestry and nurseries, not to include greenhouses
3. Public utility lines under thirty-five (35) KV
4. Historic sites and areas
5. Wildlife management areas
6. **Public parks and public park facilities**
7. Erosion control and wildlife developments
8. Seasonal produce stands
9. Accessory uses to the above described uses.

SECTION 2. This Ordinance shall be effective following its passage and publication.

Adopted by the Rockville City Council this 22nd day of February 2006.

ATTEST:

BRIAN HERBERG
MAYOR

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

**ORDINANCE NO 2004-15
AN ORDINANCE AMENDING SECTION 24 OF THE ZONING
ORDINANCE OF THE CITY OF ROCKVILLE**

SECTION 24: "SP-1" SPECIAL PROTECTION DISTRICT

Subdivision 1: INTENT

The Special Protection District is an overlay district in the "A-40" District. These areas need protection from permanent residential development to allow for agricultural uses and to preserve the rural atmosphere of large portions of the City. The principle uses within the SP-1 District are agriculture and conservation. The SP-1 District will include areas not proposed to be serviced by municipal sewer. It is the intention of the City to discourage residential development within the SP-1 District based upon: (1) the inherent conflicts created by residential development within agricultural areas; (2) the need to consolidate residential development within the urban growth areas of the City in order to provide efficient services; (3) the goal of avoiding additional traffic on roads which may not be adequate to sustain additional residential development; and (4) the desire to avoid the negative impacts on open space and conflicts with other rural activities which will result from additional residential development outside of the urban growth areas of the City. To meet these purposes and goals, the City has provided that single family dwellings are permitted only as conditional uses, the City has enacted strict density requirements, and the City has limited the number of conditional use permits that will be issued for single family dwellings within any calendar year.

Subdivision 2: PERMITTED USES

1. Agricultural uses except those listed as conditional uses
2. Forestry and nurseries, not to include greenhouses
3. Public utility lines under thirty-five (35) KV

4. Historic sites and areas
5. Wildlife management areas
6. Erosion control and wildlife developments
7. Seasonal produce stands
8. Accessory uses to the above described uses

Subdivision 3: CONDITIONAL USES

1. New single family dwellings as provided for below:
 - A. New single family dwellings on legal lots of record as of April 16, 2003 and which meet the requirements of Subdivision 6 of this Section 24.
 - B. New single family dwellings at a maximum density of one per forty (40) acres on platted lots recorded after April 16, 2003 and that meet minimum lot size requirements in this Ordinance as well as the requirement of Subdivision 6 of this Section 24.
 - C. With the exception of construction upon platted lots of record existing as of April 16, 2003, no more than four (4) conditional use permits for single family dwellings will be issued in any calendar year.
2. Greenhouses
3. Cemeteries
4. Essential services
5. Temporary dwellings and construction buildings
6. Home Occupations

7. Home Extended Business
8. Government buildings
9. Timber removal, commercial
10. Structures over thirty-five (35) feet in height
11. Bed and Breakfast Establishments

Subdivision 4: LOT, YARD, AREA AND HEIGHT REQUIREMENTS

- I. Height Regulations.
 - A. Maximum of thirty-five (35) feet.
 - B. This height limitation shall not apply to non-residential farm structures.
2. Setback Regulations.
 - A. Required Setbacks from Road Right-of-Way in the A-40 District of this Ordinance.
 - B. Minimum setback from property lines of fifty (50) feet.
 - C. Minimum setback from a ditch of one hundred (100) feet.

Subdivision 5: NO PLANNED UNIT DEVELOPMENT

Planned unit developments are not permitted within the SP-1 Zone.

Subdivision 6: SINGLE FAMILY DWELLING REQUIREMENTS

Single Family Dwellings requiring a conditional use permit must meet the following requirements in addition to those found in Section 27.

1. The structure must be located to avoid impacts on tillable land and on highly productive soils. This includes both the location of the structure, the driveway, and outbuildings. This also includes the impacts on tillable lands adjacent to the dwelling (for example dwellings will not be permitted to be sited in the center of an otherwise tillable field).
2. The soils and topography must be more amenable to the construction of a single family dwelling than to farming or wildlife habitat.
3. The vegetative cover must be more amenable to the construction of a single family dwelling than to farming or wildlife habitat.
4. The location of the dwelling must have a buffer from adjacent agricultural land (permitted for agricultural activities). This buffer may be accomplished by distance, vegetative screening, or other means.
5. The location of the dwelling must be of adequate distance from intensive farming operations (including feedlots) to avoid impacts on and conflicts with those farming operations.
6. The location of the dwelling must minimize wildlife habitat destruction. For example tree removal must be minimized and the structures must be located so as to have the least amount of impact on habitat.
7. The location of the dwelling must minimize and/or avoid impacts on wetlands both through direct filling or proximity affecting water quality or wildlife habitat. The dwelling and construction must also avoid negative impacts on storm water drainage.
8. The location of the dwelling and residential land use must be consistent with adjoining permitted land uses.

9. The dwelling must be located on land which is of marginal use as tillable land or wildlife habitat.
10. The use of the property for single family residential purposes must be consistent with the Comprehensive Plan of the City.

ADOPTED THIS 5TH DAY OF MAY, 2004.

BRIAN HERBERG
MAYOR

ATTEST:

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

2004-15 Zoning Ord.Amend.wd.doc